

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT. J&K

Notification

Srinagar, the 3rd October, 2022.

SO-468.66Whereas, on 07-04-2022, the Police Station, Kreeri received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Nawan Morh, Doolopora crossing. During checking a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Mohanunad Iqbal Mir S/o Ghulam Nabi Mir R/o Mongam, Wagoora. During the search of a bag carried by the accused, the Police recovered 02 UBGL Grenades, 01 AK-47 Magazine, 20 Rounds and 02 Detonators from the said bag; and

- 2. Whereas, based on the above, a Case FIR No. 29/2022 under Sections 7/25 Arms Act, 13, 18 of ULA (P) Act, was registered in the Police Station, Kreeri and the investigation of the case was set into motion. Subsequently, during the investigation, Sections 20, 23, 38 and 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during the course of investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during the investigation, the accused viz. Mohammad Iqbal Mir, was found in contact with two terrorists of LeT banned outfit namely, Hilal Ahmad Sheikh S/o Ab. Hamid Sheikh R/o Shrakwara and Usman R/o Pakistan, who provided the arms/ammunition to the accused in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Mohammad Iqbal Mir, was working as Over Ground Worker (OGW) for the terrorists of LeT banned outfit particularly terrorists namely, Hilal Ahmad Sheikh and Usman, and was providing logistic support to them, besides, under a well knit criminal conspiracy procured the arms/ammunition from the above terrorists for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist namely Hilal Ahmad Sheikh, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; and
- 7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

S. Name of the accused Offences No.

Mohammad Iqbal Mir S/o Ghulam
Nabi Mir R/o Mongam, Wagoora.
13, 18, 23, 39 of ULA (P) Act.

2. Usman R/o Pakistan. 13, 18, 20, 38 of ULA (P) Act.

- 8. Whereas, the accused viz. Usman R/o Pakistan, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC, have been proposed to be initiated against him; and
- 9. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused; and
- 10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above-mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mohammad Iqbal Mir and Usman, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicated against each accused at para (7) above, arising out of FIR No. 29/2022 of Police Station, Kreeri.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/ Additional Chief Secretary.